

REMARKS

The specification and claims have been amended to improve the style of this application. Claims 1 through 21 are in this application and are presented for consideration. Claims 1, 5 and 15 have been amended. Applicant thanks the Examiner for pointing out errors and providing suggestions.

Independent claims 1, 8 and 15 have been rejected as being anticipated by Rankin '452.

Independent claim 8 sets forth a hose system for delivering breathing air. Claim 8 further sets forth that this hose system includes a porous gas permeable tubular section. Applicant has reviewed 452, and finds no teaching nor suggestion of a hose system that delivers breathing air and has a permeable tubular section. The rejection equates the permeable tubular section with element 106 of 452. Applicant has reviewed 452, and finds that element 106 does not deliver breathing air. Instead element 106 delivers cooling air. Applicant's review of 452, finds that elements 82 and 120 deliver air to the mask of the user for breathing. Applicant finds no indication that elements 82 or 120 include a permeable tubular section. Applicant finds no teaching nor suggestion of any other structure in 452 that both delivers breathing air and includes a permeable tubular section. Therefore it is applicant's position that 452 cannot anticipate all of the features of independent claim 8. Independent claim 8 therefore defines over 452.

Claim 1 sets forth a hose system with a permeable tube section where that hose system brings breathing air inside the safety clothing. Claim 1 has been amended to further set forth that the tube section receives the breathing air from the connection means. Element 106 in 452

does not receive breathing air from any connection means. Therefore element 106 can't anticipate the permeable tube section of claim 1. Element 106 instead appears to receive cooling air. Applicant finds no indication in 452 that the cooling air is for breathing. Reference 452 instead has separate lines for supplying air to the mask of the user. Applicant finds no indication in 452 that the lines for delivering air to the mask should be permeable. Therefore it is applicant's position that 452 does not anticipate all the features of amended claim 1, and there is no suggestion or motivation for a person of ordinary skill to modify 452 in order to cause claim 1 to be obvious.

Independent claim 16 sets forth the step of delivering breathing air through pores of the permeable tubular section. Applicant finds no teaching no suggestion of this step in 452. As described previously, element 106 of 452 does not deliver breathing air. Furthermore, any lines in 452 which do deliver breathing air, are not described as being porous or permeable. Therefore 452 cannot anticipate independent claim 16. Furthermore applicant finds no incentive or motivation in 452 which would lead a person of ordinary skill to modify element 106 to deliver breathing air, or to modify the lines that carry breathing air, to be porous or permeable. Therefore 452 cannot cause claim 16 to be obvious.

Claims 3 and 10 set foot that the permeable tube section is formed in a "horizontally" extending semi circle. Applicant has reviewed 452, and finds that element 106 extends vertically. Column 4 lines 57 through 59 of 452 describe element 106 as extending upwardly within the hood 32. Therefore element 106 does not extend horizontally in a semicircle, and cannot anticipate all the features of the permeable tube section of claims 3 and 10.

Claims 4 and 11 set forth that the horizontally extending semi circle comprises a lower area and an upper area. Since 452 does not have a "horizontally" extending semi circle, any lower area and upper area in the vertical element 106 would be different than the lower area and upper area of claims 4 and 11. These claims therefore further define over 452.

Claims 5 and 12 set forth distributor hoses having a discharge opening from which "breathing" air flows out. The rejection equates elements 86 and 96 of 452 with the distributor hoses of these claims. However elements 86 and 96 do not flow breathing air. Reference 452 clearly separates cooling air from breathing air. It appears that elements 86 and 96 flow cooling air, and therefore are not similar to the distributor hoses of claims 5 and 12. Furthermore, there can be no incentive or motivation in 452 to have elements 86 and 96 flow breathing air, since 452 specifically has separate structure for cooling air and breathing air. Claims 5 and 12 therefore are not anticipated by, and not obvious in view of, 452.

Claims 2 and 9 have been rejected has been obvious over 452 in view of Moretti '833.

Claims 2 and 9 set forth that the permeable tube section is made of a sintered plastic. Reference 833 is used to describe a sintered plastic. However 833 does not described a tubular section. Instead 833 describes substantially flat layers that appear to have a very large surface area. Since the flat areas have a larger surface area than tubular sections, a person of ordinary skill in the art would not be led to believe that the flow rate of the flat layers in 833 would be sufficient in any tubular lines in 452. While a sintered plastic may be suitable in the flat layers of 833, there is no indication that the sintered plastic would have a sufficiently high flow rate for the element 108 in 452. Therefore it is applicant's position that it would not be obvious to

modify 452 to use a sintered plastic from 833. Claims 2 and 9 therefore are not obvious.

New independent claim 21 sets forth the features of claims 1, 3 and 4, plus an additional feature indicating how the porous area is arranged to direct breathing air to a head of the user. Therefore new independent claim 21 defines over the prior art for the same reasons as claims 3 and 4 define over the prior art. Claim 21 further defines over the prior art since element 106 in 452 does not direct breathing air toward a head of a user. Instead element 106 appears to flow cooling air. Applicant further finds no suggestion nor motivation for element 106 to direct breathing air toward a head of a user. Since 452 does not have any structure to direct breathing air toward a head of a user, claim 21 further defines over the prior art.

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If the Examiner has any comments or suggestions which would further favorable prosecution of this application, the Examiner is invited to contact Applicant's representative by telephone to discuss possible changes.

At this time Applicant respectfully requests reconsideration of this application, and based on the above amendments and remarks, respectfully solicits allowance of this application.

Respectfully submitted  
for Applicant,

By: 

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